



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Albuquerque District  
4101 Jefferson Plaza, NE  
Albuquerque, NM 87109-3435

Fax No. 505-342-3498

cespa-od-r@usace.army.mil

Permit Application No: SPA-2007-271 Date: June 14, 2007

Phone: (719) 543-6914 Suspense Date: July 9, 2007

In Reply Refer to:

District Engineer, ATTN: CESPA-OD-R

## PERMIT APPLICATION UNDER SECTION 404 OF THE CLEAN WATER ACT (33 USC 1344)

Summary of Proposed Project: We are requesting public comment on the following project before the above suspense date. The application is for a permit to place dredged and fill material as Woodmen Road improvements in 20 wetlands located in Sand Creek, Sand Creek tributaries, East Fork Sand Creek tributaries, and Black Squirrel Creek tributaries from Powers Boulevard to U.S. Highway 24, near Colorado Springs, El Paso County, Colorado. The work includes expansion of Woodmen Road to four lanes with parallel frontage roads. Details of the proposed project are provided below.

Name of Applicant: El Paso County Department of Transportation, 3275 Akers Drive, Colorado Springs, CO 80922; agent: Loren Hettinger, WorleyParsons Komex, telephone 303-271-0795, ext. 6414.

Location: The project is located in 20 wetlands located in Sand Creek, Sand Creek tributaries, East Fork Sand Creek tributaries, and Black Squirrel Creek tributaries from Powers Boulevard near Colorado Springs to U.S. Highway 24 in Falcon, El Paso County, Colorado in Sections 1-12 of Township 13S, Range 65W and Sections 6 and 7 of Township 13 S, Range 64 W, (38° 56.5' N Latitude, 104° 41.4' W Longitude).

Description of Work: To improve 6.3 miles of Woodmen Road. The work would include reconstruction of the road from two to four lanes and construction of parallel frontage roads. Shoulders 10-feet wide would be included and traffic signals would be installed at Mohawk, Lizardhead Road and Meridian Road. In addition to adding lanes, the roadbed grade would

be modified to improve sight distances. Pedestrian-bicycle lanes would be included as part of the frontage roads and regional trail crossings would be installed at Falcon Town Center and Sand Creek. The total amount of fill in waters of the U.S., mostly wetlands, would be 11.65 acres. Table 1 shows the amount of fill at each wetland. Another 1.46 acres would be temporarily impacted. Work is expected to begin in September 2007 and be completed in April 2009.

Purpose and Need: The stated purpose of the project is to improve the safety of the road, as the current configuration of a narrow two-lane highway with areas of limited sight distances is considered hazardous. The safety issue has increased as traffic volumes have increased.

Related Work: The road work would also fill 19 isolated nonjurisdictional wetlands located throughout the project length.

Mitigation Proposed by the Applicant: Wetlands were avoided by the engineering design as much as practicable, but because wetlands occur on both sides of Woodmen Road, complete avoidance was not possible. Wetland losses would occur to emergent wetlands (wet meadow and some marsh) and willow shrub wetlands. To offset the 11.65 acres of permanent project wetland losses, the applicant proposes to mitigate at three sites: Black Squirrel Creek tributary at Woodmen Road, the Rock Island Trailhead, and Cottonwood Meadows. Using a mixture of in-kind and out-of-kind wetland creation, out-of-kind shrub riparian enhancement, out-of-kind riparian invasive tree removal and shrub replacement, and out-of-kind weed control at the three sites, the applicant proposes a 12.06-acre mitigation credit. Proposed credit ratios range from 1:1 for wetland creation to 10:1 for weed control. Table A summarizes the type of mitigation and related ratio credit proposed at each site. For temporary impact mitigation, the applicant proposes to reclaim 1.46 acres by planting in-kind wetland plugs and seeding wetland grass species.

Plans and Data: Drawings showing the location of the work site and other data are enclosed with this notice. If additional information is desired, it may be obtained from the applicant, or from:

Anita Culp  
U.S. Army Corps of Engineers  
Southern Colorado Regulatory Office  
200 South Santa Fe Avenue, Suite 301  
Pueblo, CO 81003  
(719) 543-6914 Fax No. (719) 543-9475  
anita.e.culp@usace.army.mil

## NEWS RELEASE

Statement of Findings: The applicant addressed the potential for cultural resources to occur along the project area. One site was found to be eligible to the National Register of Historic Places. It was concluded, and the State Historic Preservation Officer agreed, that the project would have no effects to historic properties. It is possible, however, that presently unknown archeological, scientific, prehistoric, or historic data may be inadvertently lost or destroyed by the work accomplished under the requested permit. In the event that cultural resources are found, the SHPO will be contacted for advice on the appropriate action to be taken.

The applicant assessed the potential for threatened and endangered species to occur along the Woodmen Road corridor. No species were determined to occur, including Preble's meadow jumping mouse and Ute ladies' tresses orchid. The U.S. Fish and Wildlife Service concurred that the project was not likely to adversely affect any threatened or endangered species or critical habitat.

The applicant has applied to the Colorado Department of Public Health and Environment for certification that this work is in compliance with applicable State water quality standards. The applicant is responsible for obtaining all other required Federal, state, and local authorizations for this work.

In accordance with environmental procedures and documentation required by the National Environmental Policy Act of 1969, an environmental assessment will be prepared for this project. Upon completion, the assessment may be seen at the U.S. Army Corps of Engineers, Albuquerque District Office or Southern Colorado Regulatory Office, at the address given above.

Comment: Any comments concerning this project should be received by the District Engineer no later than July 9, 2007. Comments received after the end of the Public Notice comment period will not be considered. However, more time may be given if a request, with a valid reason, is received prior to the suspense date. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this

decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed below. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The evaluation of the impact of this activity will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act. All factors relevant to the proposal and the cumulative effects will be considered; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

If the District Engineer determines that the project complies with the 404(b)(1) guidelines, he will grant the permit unless issuance would be contrary to the public interest.

Any person may request a public hearing. The request must be submitted, in writing, to the District Engineer within 21 days of the date of this notice and must clearly set forth the reasons for holding a public hearing.

B. A. Estok  
Lieutenant Colonel, U.S. Army  
District Commander

Enclosure